

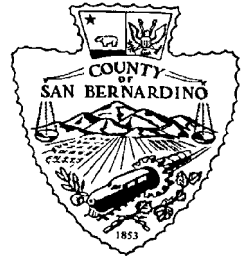
Department of Veterans Affairs

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VA Claims

VA Claim Backlog

The U.S. Department of Veterans Affairs (VA) Regional Office in Los Angeles and a majority of other Regional Offices throughout the United States have a serious and unprecedented backlog of claims. As of April of this year, the Los Angeles Regional Office had a backlog of 12,800+ claims pending and 3,100+ pending appeals. Nationally, the VA had 512,700+ claims pending and 90,800+ pending appeals.

Claim Processing

The average new claim processing time appears to be 12 to 18 months while appeals may take several years.

This backlog is frustrating and unacceptable to all concerned, especially to our veterans and their families.

The reasons for this backlog are numerous, complex, and in all fairness to the VA, beyond their immediate control. The VA, however, is working hard to correct the problem.

There are many claims related issues that the VA must resolve, such as documentation, evidence, and procedures, which must follow federal law and regulation, and must be determined before the VA can make a decision on your claim. These requirements vary depending on the nature of the claim. Please review the reverse side of this fact sheet for additional information.

Status Requests for Pending Claims

In order to reduce unnecessary demands on the VA staff processing your claim, our Director, Bill Moseley, has instructed our staff not to check on claims until at least six months has passed from the date the claim was filed. Frequent checking on the status of a claim prevents the VA from doing their job. Our staff will continue to verify that your claim has been received by the VA and is being processed.

If you still desire a status request before six months, you may call the VA toll free at 1-800-827-1000, 8:00 a.m. to 3:30 p.m., Monday through Friday. NOTE: If you call the VA, you will get a telephone counselor. The information that they give you is what is currently available in their computer system. Because of their backlog, this information may not reflect recently submitted claims. Please be patient, but feel free to contact our staff if you have any concerns or questions regarding the submission of your claim.

The Purpose of a County Veterans Service Office

You have filed a claim for veterans' benefits through the **San Bernardino County Department of Veterans Affairs**. We are not employees of the Federal Government. We are a County Veterans Service Office (**CVSO**) and are here as an advocate for veterans and their families to assist them in obtaining VA benefits. We will help you with determining potential eligibility to benefits, completion of necessary forms, obtaining supporting evidence, and if necessary, help you prepare an appeal.

What Can Be Done to Lessen the Claims Backlog And Present the Best Claim to the VA?

Incomplete or inaccurate claims and a lack of supporting evidence are major contributing factors to the nationwide claims backlog. It usually takes longer for the VA to process an incomplete claim than a well-documented claim.

Failure to submit requested records and information as well as failure to attend required VA medical exams also contributes to the backlog, and contributes to delayed or even denied claims. Although the VA has a duty to assist in developing claims, this duty is limited, and ultimately, the burden of proof is on the applicant.

What is Involved in the Claims Process

- ☑ Your completed claim is submitted to the VA Regional Office that will process and adjudicate your claim.
- ☑ The VA then reviews your claim. They may request additional supporting information to help them decide all issues.
- ☑ The VA may schedule a medical examination (C&P exam) if they feel it's appropriate.
- ☑ The VA will try to obtain any VA medical records or military service medical records needed to decide your claim.
- ☑ The VA will try to obtain any private medical records that you mention in your claim.
- ☑ The VA will adjudicate your claim and make a decision based on the evidence available to them.

Our Commitment to You

- ☑ We will provide you with accurate and comprehensive counseling concerning the benefits available to you.
- ☑ We will help you complete and submit all necessary claim forms.
- ☑ We will attempt to obtain evidence to support your claim. This evidence may include medical or lay evidence.
- ☑ We will assist with any follow-up action that is needed or requested by the VA.
- ☑ We will actively cooperate with the veterans' service organization of your choice to ensure adequate representation of your claim during the VA decision process.
- ☑ We will manage your claim during and after VA adjudication of your claim.
- ☑ We will review the VA's decision to ensure you receive all benefits to which you are entitled.
- ☑ We will help you research and write most appeals.

What We Can Not or Will Not Do

- ☑ We can not pay for any records or other evidence. If a doctor or agency asks for payment, our department does not maintain funds for this purpose.
- ☑ We do not have control over your claim once it has been submitted to the VA.
- ☑ We will not attempt to persuade the VA to hasten the processing of your claim **out of turn**. As an advocate, we will not ask the VA to process one veteran's claim over another.
- ☑ We can not change eligibility requirements, which have been determined by Congress and must be administered by the VA.
- ☑ We will not knowingly submit false or inaccurate information to the VA or other agencies.

Please bear in mind that there may be instances where we will not be successful in obtaining certain benefits. This normally occurs because of a lack of crucial evidence or a client's ineligibility based on statutory requirements.

What You Can Do to Help with the Claims Process

You must become a partner with us in this process. In order to achieve the goals mentioned above, we need your full cooperation with our staff. We can not hope for a favorable decision without your full support. If the VA or our office contacts you, **please bring in all VA letters, and requested evidence so we can fully assist you.** This will help us better manage your claim. If you submit information directly to the VA or through another service organization without our knowledge, it may reduce our ability to serve you and effectively manage your case.